

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE :  
COMMISSION, :  
: Plaintiff, : 21-CV-7700 (VSB)  
:  
- against - : **ORDER**  
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:  
SIMON PIERS THURLOW, :  
ROGER LEON FIDLER, ESQ., :  
RICHARD ORAVEC, :  
BRADLEY FIDLER, :  
BRYCE EMORY BOUCHER, :  
JOSEPH D. JORDAN, :  
and WESTERN BANKERS CAPITAL INC., :  
:  
Defendants. :  
:  
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VERNON S. BRODERICK, United States District Judge:

Plaintiff Securities and Exchange Commission (“SEC”) commenced this action against the above seven defendants (“Defendants”) on September 15, 2021. (Doc. 1.) Defendant Boucher sent his waiver of service on September 20, 2021, whereby his answer was due November 19, 2021. (Doc. 20.) To date, Defendant Boucher has not filed his answer or otherwise replied to the complaint, nor has he joined the other six Defendants’ requests for extension to file an answer. (*See* Doc. 29.) Therefore, if SEC intends to seek a default judgment against Defendant Boucher, it is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than December 17, 2021. If SEC fails to do so or otherwise demonstrate that it intends to prosecute this litigation against Defendant Boucher, I

may dismiss the claim against Defendant Boucher for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: November 23, 2021  
New York, New York

  
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Vernon S. Broderick  
United States District Judge